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The Thrill of the Chase: Punishment, Hostility, and the Prison Crisis

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This article offers one of the first analyses of the current and ongoing crisis affecting English and Welsh prisons, and of recent proposals for prison reform. The paper pits the impression of novelty surrounding the current framework of incarceration against the notion promoted by critical scholarship that the nexus between crisis and reform is not new. Building on this debate, we deploy an original theoretical perspective, grounded on the concept of hostile solidarity, to argue that the promise of prison reform is an essential aspect of the utility ascribed to punishment, which allows the prison to be perpetually preserved and seen as unquestionably necessary, even when in crisis. The paper concludes by suggesting that our emotional attachment and contemporary reliance on punishment, and its manifestation in the perpetuation and expansion of institutions like the prison, are ultimately self-defeating and self-propelling.

Introduction

'So today, I want to explain why I believe prison reform should be a great progressive cause in British politics, and to set out my vision for a modern, more effective, truly twenty-first century prison system. My starting point is this: we need prisons.'
(Prime Minister's Speech, MoJ, 2016a: 1)

In the last couple of years,³ prisons in England and Wales have received considerable attention by media, politicians, independent inspectors, and the wider public. Much of this attention exposed what has been described as an ongoing but recently more prominent crisis in prisons. Since 2015, various news and inspectorate reports, as well as evaluations by campaigning organisations like the Howard League for Penal Reform, have exposed prison's weak record in terms of safety and care for both its prisoners and staff and unveiled disturbing conditions of violence, harm, corruption and disorder, besides unprecedentedly high numbers of deaths in custody,

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increases in self-injury, high rates of drugs misuse and, in some cases, large-scale riots (HM Chief Inspector of Prisons, 2017; 2018; Howard League and Centre for Mental Health, 2016).

The present moment, which has been widely recognised as a 'crisis' in the prison system, arguably represents the latest stage of a long period, at least since the start of the present decade, in which prisons have become more prominent than usual in media and political discourse (Mason 2006). In the past few years, a series of Justice Secretaries have turned to the prison and given it relatively significant space in their political narratives, promising reforms and 'new' approaches to the penal system at the same time as they subjected the sector to stringent austerity cuts. Most of these reformist visions promote a paradoxical and ambivalent mix in rhetoric: they reaffirm the by now established 'tough on crime', law and order mantra whilst also emphasising the need for prisons to rehabilitate and reform offenders. This moment of heightened political significance of the prison culminated, in February 2016, in the then Prime Minister David Cameron announcing a reform agenda for a 'revolution in the prison system' (MoJ, 2016a: 15), noting that he was the first prime minister in twenty years to give a speech focused exclusively on prisons. By May 2016, the Queen's Speech promised that these plans for reform would constitute the 'largest overhaul in prisons since Victorian times' (Cabinet Office, 2016).

Since then, much has changed: Brexit has shifted the government's priorities, and consequently the plans to pass the Prisons and Courts Bill into law were abandoned. However, even if the political will to enact changes through law has diminished, the prison continues to make the news, usually under an unflattering light,

and so reforms continue to be promised—although, given the constant shift of Justice Secretaries and the decaying conditions of the prison system, these promises are little more than rhetoric. An emblematic example of this dynamic occurred on 18th December 2017, when the then Justice Secretary David Lidington gave an optimistic speech at a conference organised by the Reform thinktank. This speech was delivered on the same day as a leaked inspection report exposed appalling conditions, 'the worst conditions ever seen', at HMP Liverpool (BBC, 2017a). Less than a month later, in January 2018, the Chief Inspector of Prisons, issued an urgent notification to the now new Secretary of State, David Gauke, demanding a public account on steps to be taken forward to address ongoing concerns about failures at HMP Nottingham that have caused eight deaths in the past two years (HM Inspector of Prisons, 2018).

This paper offers an examination of the nexus of crisis and reform in English and Welsh prisons, looking at how the promise and rhetoric of prison reform, rather than geared at addressing the institution's many problems, in reality serves to maintain and perpetuate these problems. Part of this argument is not new: as Foucault (1979) has noted, at least since the eighteenth century, the prison has been a project of reform, promoted as a more humane and efficient alternative to previous penal methods; however, the purpose behind this so-called transformation was 'not to punish less, but to punish better' (Foucault, 1979: 82). Consequently, the prison has entered our social imagination as a necessary and progressive institution (Johnston, 2016), its semblance of necessity persisting in lieu of its many failures and of the various challenges presented against its aims and justifications. The prison has also continuously expanded, each crisis leading to a project of reform and modernisation which furthered and broadened the prison complex.

We develop this critical perspective by examining how the dynamics of crisis and reform are a prime example of an intense irrational and emotional attachment to the idea of utility ascribed to the prison, and to punishment more generally. The inability to comprehensively question the necessity of a failing and onerous system, even in a prolonged period of austerity, and the insistence that the prison can be made to work despite mounting evidence to the contrary, suggests that the social need to believe in the utility of punishment is stronger, and given more importance, than the need to derive any real utility from it.

The first part of the paper problematises the idea of a prison crisis by examining the current penal environment in England and Wales from the perspective of solidarity. We argue that the problem of prison, or of punishment more generally, is linked to its social role: punishment is meant to symbolically produce an image of social solidarity and cohesion that is mostly lacking from individuals' contemporary social experiences. By promoting the idea of a strong political community bonded by common values, punishment, in the image, harshness and physical borders of the prison, reassures individuals' sense of self, order and security. However, the artificial quality of this image of solidarity means that it is illusory, and inherently violent. Consequently, institutions that promote this hostile solidarity (Carvalho and Chamberlen, 2017), such as the prison, are regularly 'in crisis', unable to contain the tensions and contradictions which they embody.

The second part of the paper explores the emotional dimension of contemporary societies' reliance on punishment, and discusses how the desire to

punish is enabled by the promise of reform, which perpetuates the idea that the failures and the violence of the prison can always be further 'civilised', at the same time as it preserves the hostile aspects of punishment: its harsh, exclusionary, and aggressive character. This allows punishment to symbolically express a desirable sense of community through hostility, by maintaining that such hostility is not only necessary, but also righteous and justified. The third and final part of the paper discusses how our reliance on punishment to pursue a problematic and illusory image of solidarity not only hinders our capacity to properly question the utility of the prison and to seriously consider transformative alternatives to justice, but also prevents us from imagining, and actively engaging with, a more fulfilling form of social solidarity.

I – The prison crisis as a crisis of solidarity

There is little doubt that the prison system in England and Wales is currently undergoing significant challenges. A series of spending cuts, decreases in staff numbers, deteriorating and ageing prison conditions, persistent overcrowding and high reoffending rates created a volatile prison estate that is increasingly under public scrutiny. Safety and legitimacy across both private and public establishments in the country have been compromised on numerous occasions, leading to various scandals⁴ and invoking several campaigns by activists⁵. And although the English and Welsh prison estate has been precarious for some years now, and its condition has deteriorated since austerity cuts were imposed after the 2008 economic crisis, these issues have become more apparent since 2015. The instances of violence and

⁴ For instance, The Serious Fraud Office (SFO) is conducting a criminal investigation into G4S and Serco electronic monitoring contracts (SFO 2014).

⁵ See, for instance, campaigns of reformist groups such as the Howard League for Penal Reform and the Prison Reform Trust, as well as abolitionist campaigns like those by the Empty Cages Collective.

disorder in 2017 at HMP Bedford, Lewes, Birmingham and Swaleside, together with the killing of a prisoner and the escape of two more from HMP Pentonville, along with the more recent scandals around hygiene and conditions at HMP Liverpool and Nottingham and Carillion's 'role in exacerbating the current prison crisis' (Sim, 2018), are just some of the recent examples that made the news.

In a report published in April 2017, the Council of Europe's Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (CPT) expressed solemn concerns about conditions in English prisons and detention facilities, noting that in their 2016 inspection, establishments showed clear signs of lack of safety for inmates and staff (Council of Europe, 2017). Similar concerns were expressed in national inspection reports, and the figures released by the Ministry of Justice in April 2017 show that there were 354 deaths in custody in 2016, 119 of which were self-inflicted (NOMS, 2017, Table 1.1); these were the highest numbers of deaths in custody and suicides on record to date. These statistics were first made public in 2016 when the Howard League for Penal Reform and the Centre for Mental Health published the results of their research on safety in prisons. Their report connects increases in suicide rates to prison staff and budget cuts and overcrowding, but also alludes to an increase of punitiveness within prison regimes, highlighting how '[p]risoners are spending hours locked in their cells each day', and how '[t]he use of prison punishments has increased and a more punitive regime was introduced in the same time as deaths began to rise' (Howard League and Centre for Mental Health, 2016: 2-3).

In addition, increases were reported in self-harm in prisons, with 40,161 incidents recorded in 2016 and 41,103 in 2017—more than double the figure in 2004 (NOMS, 2017, Table 2.1). Similar increases are also evident in assaults in prison, which almost steadily grew in number since 2000, and saw a spike in 2015 (20,518 assaults) and 2016 (26,022 assaults), including both prisoner-on-prisoner and prisoner-on-officer violence (NOMS, 2017, Table 3.8). Beyond its most acute manifestation in suicide, self-harm and assault rates, the rise in violence has also significantly affected the work experiences of prison officers, who in the end of 2016 announced an unprecedented strike which was then halted by a court order. Among the grievances grounding the strike, officers listed job cuts, which impacted working conditions and morale, and increased their daily exposure to risk of harm and unsafety. Finally, surges in drug misuse and the proliferation of new psychoactive substances in prison can be added to the examples, as these reportedly contribute to disorder and lack of discipline inside, heighten the stress and dissatisfaction of prison staff, and also suggest instances of staff corruption and mismanagement (Liebling et al, 2011; NOMS, 2016). Together, these incidents and circumstances paint the picture of an institution which appears to be engulfed in chaos, and suffering a serious crisis of legitimacy (Jackson et al, 2010).

A preventable crisis or an inherent problem?

However, these recent events are intimately related to issues that have preoccupied punishment and society scholars, and particularly prisons researchers, for decades (Simon and Sparks, 2013; Liebling and Maruna, 2005; Liebling, 1999; Crewe and Liebling, 2015). The 'pains' and effects of imprisonment have been

consistently reported by researchers as serious and long-lasting (Sykes, 1958; Christie, 1981; Crewe, 2016; Liebling and Crewe, 2012; Chamberlen, 2016), especially when coupled with the lack of proper resettlement opportunities, training and rehabilitation, along with the harmful impact of prison stigma. Imprisonment has been shown to hinder rather than create opportunities for 'correction', 'repair' and 'inclusion' (Garland, 1990). Thus, prison has long been declared a problematic solution to the complex social problem of crime (Cavadino and Dignan, 2013). Indeed, there is ample evidence that, besides not solving the problem of crime, in many ways, the prison may perpetuate it instead (Sampson and Laub, 2003). In light of these issues, it is perplexing that so little attention is given to other, more reintegrative, alternatives to incarceration (Bottoms et al, 2004).

The term 'crisis' has been widely used by campaigners, press and politicians who recognise that current approaches to incarceration are both ineffective, in terms of reducing reoffending and enabling rehabilitation, and increasingly also detrimental to the wellbeing and safety of both prisoners and staff. But approaching the current state of prisons as being in crisis also suggests that in the past, or at least in principle, prisons could be orderly, fair and effective institutions of rehabilitation and justice. In other words, the crisis discourse assumes that current problems in prisons represent a wave of disarray that is momentary and can be overcome. If reformed, wider society is led to believe, prison will work. As Hart and Schlembach (2015) argue, the terms 'crisis' and 'emergency' in the context of prisons can be 'misleading', suggesting novelty about the prison's failures:

[These terms] imply that current concerns over conditions and the continued injustices faced by prisoners are new developments... In reality, the situation is

far worse. Prisons in the UK have been dangerous and overcrowded institutions for decades. They house increasingly disproportionate numbers of vulnerable and marginalised groups, a fact which successive governments have not only refused to address but have exacerbated through the continued implementation of punitive police agendas. (Hart and Schlembach, 2015: 290).

Therefore, much of the rhetoric on prisons, including the predominant liberal discourse, preserves an underlying assumption that, even if prisons do not work right now, we should strive to make them work, as it is conceivable—and necessary—that they could function effectively. Consequently, even the acknowledgement of a crisis in the prison system seems to maintain the necessity of a social reliance on imprisonment, thus 'remaining blind to the falseness of our assumptions about its role and effectiveness' (Liebling and Maruna, 2005: 2).

Interestingly, these assumptions are now kept within a rather unique context, whereby it is no longer possible to claim that prisons are impermeable, invisible spaces closed from public view. In our digital age, and under recent attempts by media to scrutinise and question aspects of prison management and outcomes, the failures of one of society's favourite forms of punishment are now more visible than ever, available to anyone who wants to see them. British media seem keen to unmask the contradictions of modern punishment, and the public appears actively invested in getting a taste of the 'life on the inside', even if just in quick glimpses and for entertainment purposes.⁶ Nonetheless, the recent cultural and media representations

⁶ For instance, see the BBC1's Panorama programme (2017) 'Behind Bars: Prison Undercover', along with the proliferation of several other prison documentaries and 'realistic' TV dramas.

of the prison crisis still maintain a certain resistance to comprehensively challenge it as a form of punishment and a source for justice.

For instance, a range of recent TV documentaries and newspaper articles have graphically captured the deterioration of safety and living conditions in prison, and phone videos and active Facebook accounts of serving prisoners have exposed the abuse of harmful substances and the proliferation of disorder in many men's prisons (e.g. The Telegraph, 2016; The Guardian, 2017; BBC, 2016, 2017a, 2017b). However, most of these media representations continue to depict prisoners as 'out of control', being uncooperative and unreceptive to prison discipline and rehabilitation. Thus, although the public is getting unprecedented insight into the otherwise private world of prisons, and seeing first-hand the absurdity and brutality of prison life, the conclusions drawn from such knowledge are not as critical and far-reaching as they could be (Scott, 2018). Information is predominantly presented in a way that blurs and neglects prisoners' own perspectives and insights into prison's effects on their lives and well-being, framing the problem as one of resources, or lack of adequate security, technology or discipline. These narratives suggest that while current problems in prison are concrete, they can be overcome through reform. In other words, even if the prison crisis poses an opportunity to comprehensively expose the weaknesses of the prison as an institution and idea, the overall purpose and utility of the prison are rarely questioned. Instead, even in their most critical accounts, media representations maintain the assumption that, just like Cameron proclaimed in his speech, our starting point in any discussion about the prison is that 'we need prisons' (MoJ, 2016a).

Punishment, utility, and solidarity

Why is it that the prison is assumed to be necessary, even though its function—together with its capacity to adequately perform any such assumed function—is anything but clear? What is it that society feels it needs out of the prison? Most of the literature that critically discusses the function of the prison tends to focus either on its proclaimed aims and purposes (Mathiesen, 2005), or on the concrete social, political and economic consequences of the prison system (Wacquant, 2009). However, the argument in this paper is that, if we want to understand why the media, the government and the public are so invested in the prison project, even while acknowledging one of its most serious crises to date, then we must examine the prison in relation to the symbolic and emotional dimension of punishment.

It was Émile Durkheim (2013, 2014) who first suggested that the 'real function' (Durkheim, 2013: 118) of punishment was not to address the problem of crime, but to maintain and reinforce the collective consciousness lying at the core of social solidarity—that is, of the values, conditions and sentiments that tie us together in society. In other words, beyond all its stated functions, the primary focus of punishment is on the 'ritualised re-affirmation of collective values and the reinforcement of group solidarity' (Garland, 2013: 23). Through its practices, punishment promotes the image of an ordered society bound together by moral values and legal rules, and protected by a strong and legitimate coercive apparatus. The legitimacy of this apparatus, in turn, relies on the idea that the values and rules that it protects are shared by the whole of its political community, so that punishment expresses (Feinberg, 1965) or communicates (Duff, 2003) a moral message that

speaks to all the members of this community, and which criminals are therefore not only able, but bound to understand and accept.

It is easy to see how the prison constitutes an integral part of the symbolism of modern punishment. First, the penalty of imprisonment is considered the most serious punishment in English and Welsh society, and therefore represents the greatest condemnation of acts which are taken to violate the values of the community. Second, the institution of the prison is itself meant to reinforce the idea that we live in orderly, secure, and safe environments. It is meant, furthermore, to make us (those who are not in prison) feel that we are on the 'right' side of the law, that we are therefore morally superior, and kept apart from those who pose a danger to our way of life. This symbolic function of the prison is embedded in the moral order (Taylor, 2004) anchoring our social imagination, from the very way in which punishment figures in the conception of the modern state (Loader and Walker, 2007) and in the civilising process more broadly (Pratt, 2002), to how these images are constantly reproduced in popular culture (Ogletree and Sarat, 2015) such as literature, television and movies, as well as the news media (Greer, 2007, 2010). Therefore, as part of the framework of punishment, the prison can be seen to serve a 'reassurance function' (Ackerman, 2004; Carvalho, 2017) in society, preserving the conditions for political community.

However, it is necessary to highlight that the link between the prison and social solidarity is one that exists in the way in which the prison is *imagined* and *represented*, rather than in the way it is concretely *experienced*, as discussed above. Likewise, the image of social solidarity embedded in the symbolism of punishment is arguably much more an aspiration, a normative ideal, than an accurate picture of actual social

conditions. Indeed, it seems that, contrary to what Durkheim had envisaged, the link between punishment and solidarity is nothing if not problematic. The image put forward by punishment appears to be one of a strong community, brought together by common values, and only truly disturbed by crime. Instead, there is significant indication in recent scholarship that punitive attitudes and policies are more likely to arise and intensify precisely when conditions for social integration and belonging are particularly precarious, so that there might actually be an *inverse* correlation between punitiveness and solidarity in contemporary social settings (Greenberg, 1999; Pratt, 2007). For instance, research has found strong indications of a correlation between levels of punishment and levels of inequality, or lack of welfare provision (Downes and Hansen, 2006; Lacey, 2007; Pickett and Wilkinson, 2010), and that support for harsh penalties and increased criminalisation is often stronger in periods of heightened social insecurity and anxiety (Ericson, 2007; Sparks, 2012).

Therefore, although there are good reasons to take seriously the existence of a link between punishment and solidarity, this link must be re-conceptualised from a critical perspective that goes beyond Durkheim. We have argued elsewhere (Carvalho and Chamberlen, 2017) that one of the main reasons behind the contemporary allure of punishment is that punishment promotes a specific image of social order, one which is particularly appealing to those people, and in those moments, which lack a concrete and comprehensive sense of social solidarity. This dynamic resonates with many contemporary liberal societies, where circumstances of ontological insecurity (Giddens, 1991) and anxiety (Bauman, 1991), which have been related to processes of social fragmentation (Rose, 2001) and to the erosion of more solidary forms and structures of citizenship (Ramsay, 2006; Reiner, 2010; Carvalho, 2017), appear to be

connected with what criminologists have highlighted as a surge in punitiveness (Garland, 2001; Pratt et al, 2005). Likewise, research into recent political developments has indicated that punitive attitudes have been closely related to feelings of disgruntlement with regards to mainstream politics, expressed by those who feel that status and values have been neglected and who long to rescue an image of community which they believe is currently under threat. For instance, after the EU Referendum in the United Kingdom, the British Election Study's internet panel survey of 2015–16 found significant links between voters' age, religion, race and ethnicity, their level of support for Brexit, and endorsement of capital punishment and other harsh penalties (Kaufmann, 2016).

Thus, it seems the image of order that is promoted by tough penalties is not grounded on concretely held bonds of social affiliation and belonging as Durkheim would have it; rather, punishment's aim is precisely to produce and instil the appearance of such bonds, so that it is most appealing to individuals and in circumstances in which experiences of social solidarity are precarious or lacking. The role of punishment can thus be characterised as part of an apparatus which is meant to suppress feelings of insecurity and anxiety, and social fragmentation more broadly, by channelling such turmoil towards crime and criminals. This artificial form of solidarity effectively promotes a sense of *identification through estrangement* (Bauman, 2000; Sparks, 2001), advancing an image of social order in which individuals are bonded together by means of their vulnerability against crime and their antagonism towards criminals. For that reason, we have argued that this form of solidarity can be characterised as hostile, since it is linked to what George Herbert Mead (1918: 591) called 'the emotional solidarity of aggression'.

The prison is one of the clearest manifestations of the hostile solidarity of punishment, both in material and in symbolic terms. Materially, the very structure of the prison denotes hostility and segregation: those inside its walls are constructed and labelled as dangerous others, who must be kept inside by coercive means if the community is to be kept safe. Prisoners are not only deprived of their liberty, but also put under a regime of austere and intense surveillance and regulation, where every aspect of their lives is controlled by the regime, and nearly every privilege can be taken away as a penalty for misbehaviour. And even when they leave prison, most of them will never be accepted as full members of the community, as they will always be seen and treated as potentially dangerous. Symbolically, the prison both maintains a border between citizen and criminal, community and other, and institutionalises the channelling of aggression from the former to the latter. This symbolic function of the prison appears to be more important than its actual effectiveness or workability.

The prison also exemplifies the main problems with hostile solidarity. The main problem of hostile solidarity is that does not seek actual solidarity, the message it sends is not about enabling an open sense of belonging, it is rather about reacting to an urge for solidarity through violence and hostility. In other words, it brings "us" together only insofar as "we" are not "them". However, when social conditions are such that they exacerbate feelings of alienation, isolation and neglect this mostly illusory image of belonging brought forth by hostile solidarity can become quite appealing. From this perspective it is not puzzling that when the prison appears to be in crisis instead of looking for alternatives which can foster different, more wholesome forms of social solidarity, societies which deploy hostile solidarity have the tendency to do so

continuously, thus maintaining that the solution to the deficiencies of the prison is not to seek alternatives, but to punish better, and to punish more.

II – The hostile solidarity of the prison and the allure of reform

The belief in the unquestionable need for prisons, together with the prison's incapacity to deliver the sense of solidarity that it promises, has meant that modern, English society has become accustomed to the idea that prisons are in constant need of reform and improvement. In the twentieth century alone, prisons underwent a reformist agenda that had managed to shift not only practice, but also perceptions on the purpose of the prison, moving from a medicalised, welfarist model onto a more strictly punitive model, and more recently, to a model that combines narrow notions of rehabilitation with a strong focus on risk and security (Johnston, 2016; Ryan and Sim, 2016). But just like the link between prisons and crisis, the idea that prisons must be reformed is not new. Indeed, since its inception, the prison has been a reformist project, justified as a modern institution on the basis that it was an integral part of the 'civilising process' (Elias, 1994; Pratt, 2002), meant to reduce violence and increase self-control in society. And the main quality which made the institution of the prison an integral part of the civilising process of modernity was its stated capacity to 'civilise', to bring social and judicial transformation into the delivery of punishment (Bentham, 1988, 1995; Ignatieff, 1978).

But scholars like Foucault have argued that the prison's reformist ideology, far from aiming at restraining punishment, is one of the main features of the symbolic

apparatus which enables punishment to be actively pursued and widely practiced in modern society:

Throughout the eighteenth century ... one sees the emergence of a new strategy for the exercise of the power to punish. And 'reform', in the strict sense, as it was formulated in the theories of law or as it was outlined in the various projects, was the political or philosophical resumption of this strategy, with its primary objectives: *to make of ... punishment ... a regular function, a coextensive with society*; not to punish less, but to punish better; to punish with attenuated severity perhaps, but in order to punish with more universality and necessity; to insert the power to punish more deeply into the social body (Foucault 1979: 82, emphasis added).

So, although there is a tension between the civilising impulse in the prison as a project of reform on one hand, and the intrinsic violence and aggression of punishment on the other, this tension curiously appears to feed into the desirability and perceived necessity of punishment instead of stalling it, ultimately stimulating and expanding the practice of punishment.

There are significant ways in which the promise of prison reform can feature into the symbolic processes of hostile solidarity, which fuels the desirability of punishment. First, as mentioned above, hostile solidarity can be conceptualised as illusory because it does not contribute to a persistent, concrete condition of social solidarity. Instead, what it does is to serve as a social defence mechanism (Brown, 2003) through which people can cope with deeper, generalised feelings of insecurity by channelling them towards specific threats and fears (Marsh, 1996; King and Maruna, 2009; Carvalho and Chamberlen, 2016). As Janet Ainsworth (2009) has

observed, punitive attitudes are intimately related to certain cognitive biases which individuals commonly develop in order to deal with the many anxieties and perceived sources of danger which affect their sense of safety and wellbeing. One such bias is 'the tendency to focus unduly on extreme occurrences' (Ainsworth, 2009: 265), which is linked to the cultural fascination with horrific crimes and 'monstrous offenders', and which contributes to the essentialism often embedded in criminalisation. Another, closely linked to the former, is 'the illusion of control', which sustains the belief that the danger of crime can (or must) be controlled, and thus tends to encourage 'continued irrational and ineffective behaviour even in the face of negative feedback' (2009: 265). These biases are constantly constructed and reinforced by political and media discourse, a phenomenon that has only intensified with the abusive spread of these messages through social media.

The symbolic necessity of the prison can be directly linked to these cognitive biases, as two of the main reasons why the prison is deemed to be necessary are the belief that the people who are imprisoned are dangerous offenders, who have committed atrocious crimes and who cannot be trusted to be let into society, and the belief that the prison can effectively control the dangerousness of crime. However, this coping mechanism embedded in the symbolism of the prison is only part of the reason why the hostility it invokes is so desirable. The other side of hostile solidarity is that it enables individuals to express their frustration and anxiety by directing hostile feelings toward criminal others, projecting their aggression onto them (Matravers and Maruna, 2005). Mead (1918: 598) had already proposed that the most attractive aspect of punitive justice is that it allows for the aggressive expression of self-assertion, something which is usually banned from the confines of modern sociability. Ironically,

the repression of self-assertiveness is itself a result of the 'civilising process'; Freud (2010) discussed how this suppression gives rise to an intense sense of guilt, as individuals feel urges which they know are publicly reprehensible and morally prohibited. The symbolism of punishment creates a condition in which this ban on hostility can be lifted, giving a license for people to engage (at least symbolically and indirectly) in acts of aggression.

The prison undoubtedly provides a channel for such hostile sentiments, since the practice of incarceration is still inextricably linked to pain and violence (Sykes, 1958; Christie, 1981; Liebling and Maruna, 2005; Liebling, 2011; Chamberlen, 2016). Part of the emotional appeal of the prison to the public imagination, it seems, is that it is painful and harsh—that it is punitive. This allure is reflected in the media's current treatment of the prison crisis, in how popular it is to display the ugliness and deterioration of the prison, the unruliness of prisoners and the suffering of staff so graphically in the media. Undoubtedly, as can be observed in social media discussions around the prison crisis, there is a portion of the public that is reassured about the prison's punitive potential through these images, as they confirm that the prison represents a violent response to those who act against the community and its law.

However, if the prison appears solely or excessively violent, then its image as a 'civilising' institution and an instrument of solidarity can be compromised. That is why, alongside the two cognitive biases mentioned above, another one must be included: the illusion of order. This aspect of hostile solidarity can be linked to a study conducted by Anna King and Shadd Maruna (2006), which found that punitive individuals tend to identify themselves with stories that 'provided clear examples of

right and wrong, where justice prevailed, where authority was fair or struggled to be so and where underdogs successfully traversed obstacles' (2006: 23). This identification provides a 'sense of orderliness' which allows individuals 'to experience an idealized world with just resolutions', which often contrasts with a much less neat and coherent social reality (King and Maruna, 2006: 23). The idea of a prison crisis may question this illusion of order, and thus exacerbate the insecurities which lead individuals to rely on the reassurance of the prison in the first place.

Hostile solidarity thus preserves a tension, and necessitates a balance, between projecting an image of a community threatened by the dangerousness of crime, and which is capable and therefore encouraged to act assertively to control crime and punish criminals, and maintaining that this community which is vindicated by punishment is a civil order (Farmer, 2016), a modern and 'civilised' enterprise whose adversities are the fault of criminals and dangerous others, rather than the consequences of its own failings and limitations. It is to secure the latter that the prison must constantly be presented as a project of reform, so that people can be reassured that the violence of the prison is righteous, orderly violence, and so can tell themselves that they are craving aggression in the name of justice.

III – The promise of reform and the problem of punishment

The symbolic ambivalence of punishment, and its consequences for the dynamics between prison crisis and reform, have arguably been reflected by the recent discourse around prison reform in England and Wales. Given that England and Wales have the largest prisoner population per capita in Western Europe, and

considering the associated costs of mass incarceration, the project of reform returned in post-austerity Britain as a strategy through which to attempt to manage an inherently contradictory political narrative that on the one hand seeks to remain punitive and, on the other, aims to acknowledge the growing risks, costs and ineffectiveness of prisons. David Cameron's speech in the beginning of 2016 is a prime illustration of this ambivalence in rhetoric and approach. Though since this speech much has happened in British politics, which to some extent has shifted the proposed framework of 'change', many steps have also been taken in the same direction as that promised by Cameron's speech and by the White Paper (MoJ, 2016b) that followed it.

Among the proposals made in the speech, there were four main principles that were put forward for implementation. First, greater autonomy was to be given to prison governors. This has already been put in practice, with six prisons being turned into 'reform prisons' in 2016, giving financial and regime autonomy to their governors. Second, 'better data' on prison successes and failures would need to be gathered, so that it could be possible to 'hold these providers and professionals to account' (MoJ, 2016a: 6). This included plans to measure the 'performance' of prisons through a series of 'metrics', to create 'new Prison League Tables' that will enable competition and comparison between different establishments. Third, according to the speech, there ought to be a seemingly more holistic interventional approach to repeat offending that pays closer attention to the learning and health needs of prisoners—though it was not clear how exactly this should happen. And fourth, the reforms should aim to adopt behavioural 'insights' and 'new technology' to reshape rehabilitation, resettlement and desistance from crime.

There are already signs that these reforms are unable to address the inherent problems of the prison, that at best they can only offer limited, short-term solutions, and at worst they may further perpetuate issues of violence and harm in prisons. For instance, rates of violence have reportedly escalated in one of the six 'flagship' reform prisons (Independent Monitoring Board, 2016), which suggests that superficial changes in accountability and management ultimately neglect the inherently contradictory aims of imprisonment (Mathiesen, 2005). In addition, the rhetoric of reform has become even more ambivalent after the changes in government that followed the outcome of the British EU Referendum. At first, the promises of prison reform moved back to the bottom of priorities of the new government. Then, following the latest developments in the prison 'crisis', the then Justice Secretary Elizabeth Truss resumed the reform project, outlining plans to build nine new prisons (including four 'titan' (Carter, 2007: 1) prisons that can each hold up to 2,500 inmates), expressing the intention to hire 2,100 extra prison officers, improve drug testing procedures, develop new security and contraband detection technologies, and give even more autonomy to governors. This culminated in the Prisons and Courts Bill, published in March 2017, which even before it was abandoned in April 2017, was already deemed to contain 'a fairly minimal and eclectic set of measures... [which] can hardly be considered to have fulfilled the promise that it would be the centrepiece of the Government's Legislative Programme' (House of Commons Justice Committee, 2017: 3).

The prison crisis-reform nexus (Ryan and Sim, 2016), as Foucault and others have admonished, both conceals and reveals the 'real function' (Durkheim, 2013: 118)

of punishment: the maintenance of a structurally violent social order (Wacquant, 2009) through the production of hostile solidarity.

Word for word, from one century to another the same fundamental propositions are repeated. They reappear in each new, hard-won, finally accepted formulation of a reform that has hitherto always been lacking. The same sentences or almost the same could have been borrowed from other 'fruitful' periods of reform [...] One must not, therefore, regard the prison, its 'failure', and its more or less successful reform as three successive stages. One should think rather of a simultaneous system ... the repetition of a 'reform' that is isomorphic, despite its idealism, with the ... functioning of the prison (Foucault, 1979: 270-1).

This nexus is integral to making people feel that they need prisons and punishment, and that they are excused for desiring their aggression: due to the ambivalent symbolism of punishment, the image of the prison suggests that it can always be made better: more humane, less painful, and more efficient. In reality, the promise of reform has as its ultimate 'function' the perpetuation of punishment.

Conclusion

'[O]ne should be surprised that for the past 150 years the proclamation of the failure of the prison has always been accompanied by its maintenance.'
(Foucault, 1979: 272)

This paper has argued that the prison is an integral part of the symbolic apparatus of punishment, and the artificial, hostile solidarity that it engenders. This is so not only because it aptly directs hostility towards criminals, and generates illusions

of control and order in an otherwise uncertain and fragmented social environment. The prison also provides important structural conditions for this symbolic process. The threat of imprisonment, the segregation and exclusion of those sent to prison, and the stigma imparted upon prisoners and those released from prison all contribute to the maintenance of the image of civil order which is inherent to performing hostile solidarity. And, through the guise of reform, the prison constantly regenerates a carceral economy which expands and renews modern punishment whilst maintaining a normative, idealistic aspiration around the assumed link between punishment and justice. The prison system thus assists in both obscuring and managing the structural inequality and violence which prevents concrete social solidarity, providing a system of 'prisonfare' (Wacquant, 2009) through which the most negative aspects of poverty can be downplayed, exploited and ultimately perpetuated, being concealed under a veneer of progress.

The greatest danger in this vicious circle is that, since the promise within punishment and prisons is illusory and thus can never truly materialise, and since it does not concretely address the problems which give rise to the desire to punish in the first place, these problems are bound to remain neglected and to further develop. And the more concrete social solidarity deteriorates, the more punitive we are tempted to become. This may lead to a downward spiral, as the failure and the expansionism of the prison go together as expressions of the flawed logic of hostile solidarity: just like the prison, the less it works, the more we feel that we need it. If we intend to resist this logic, we need to question why we continually strive to rescue the prison from its own failings, and why we continue to assume that we need it. If we do so, we can then perhaps stop trying to maintain a sense of hostile solidarity in an uncertain,

individualised world, and can start working towards a world in which solidarity does not have to be hostile.

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